

HOUSE BILL 2481  
By Sargent

AN ACT to amend Tennessee Code Annotated, Title 12  
and Title 29, relative to eminent domain.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 17, is amended by adding the following new part 13:

§ 29-17-1301. It is the intent of the general assembly that the power of eminent domain be exercised sparingly and that such power not be exercised solely or principally to increase tax revenue, expand the sales or property tax bases, or promote economic development.

§ 29-17-1302.

(a) The state, any political subdivision of the state, or any other entity to which the power of eminent domain has been granted shall not use eminent domain to take private property solely or principally to increase tax revenue, expand the sales or property tax bases, or promote economic development.

(b) The power of eminent domain may only be exercised to condemn and take private property for:

(1) Public ownership for use for roads, schools, hospitals, public buildings, parks, water supply or other critical infrastructures;

(2) Use by private parties, such as common carriers, that make the property available for the public's use and benefit; or

(3) Elimination of a use that is harmful to the public, when such taking is found to be necessary to remedy the harm to the public.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it